

THE NATIONAL AUTHORITY FOR PERSONAL DATA PROTECTION BECOMES OPERATIONAL

Algiers, 2 February 2023



Key points

- **Deadline for compliance with the law on personal data protection: August 2023.**
- **Launch of the official website of the National Authority for Personal Data Protection: <https://anpdp.dz/fr/accueil/>**
- **By August 2023, the forms necessary for the implementation of the Algerian personal data protection law will be available online.**
- **Immediate launch of a survey of processing operations and identification of data controllers, pending the launch of a national personal data protection registry.**
- **During the press conference for the launch of the official website, the President of the ANPDP recommended that State-owned and private entities "use the contents of the website in order to comply with the law within the set timeframe".**

The National Authority for Personal Data Protection ("**ANPDP**") is an independent administrative authority responsible for ensuring compliance with Law No. 18-07 of 10 June 2018 on the protection of individuals in the processing of personal data ("**Law 18-07**").

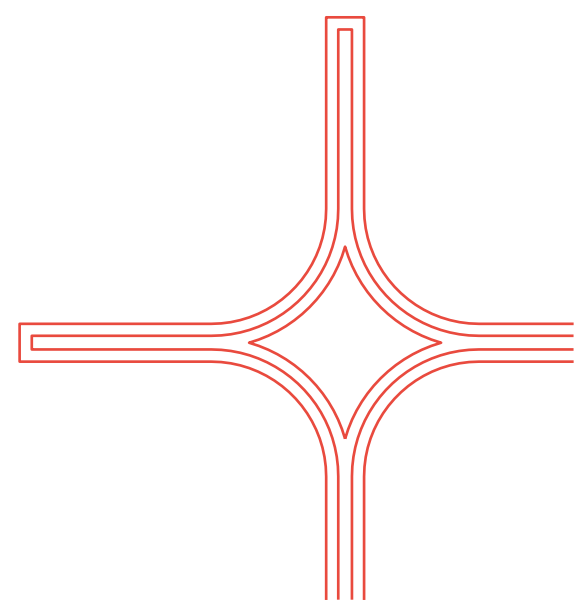
Following the appointment of its President and sixteen members for a five-year term by Presidential Decree No. 22-187 of 18 May 2022, the ANPDP was officially established on 11 August 2022.

The one-year period for compliance with Law 18-07 begins on this date.

Companies therefore have until 11 August 2023 to comply with Law 18-07.

As part of the compliance with Law 18-07, the official website of the ANPDP was launched on 1 February 2023: <https://anpdp.dz/fr/accueil/>

Through this information site, the ANPDP aims to make State-owned and private entities that process personal data aware of their obligations under Law 18-07 and to inform individuals of their rights.



Reminder of the scope of Law 18-07

Law 18-07 applies to all or part of the processing of personal data by automatic means, as well as to the non-automatic processing of personal data contained or intended to be contained in manual files.

Personal data is any information, by whatever means, relating, directly or indirectly, to an identified or identifiable natural person, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, genetic, biometric, mental, economic, cultural or social identity.

With regard to **territoriality**, Law 18-07 applies to the processing:

- carried out by a natural or legal person whose controller is established in Algeria or on the territory of a State whose legislation is recognised as equivalent to Algerian legislation on the protection of personal data;
- if the controller is not established in Algeria but uses, for the purpose of processing personal data, automated or non-automated means located in Algeria (excluding processing carried out for the purpose of transit through Algeria).



Main tasks of the ANPDP

According to Law 18-07, the ANPDP has the following main tasks:

- receive declarations for the processing of personal data;
- grant authorisations for the processing of personal data if, after examining the declaration submitted to it, the ANPDP considers that the proposed processing poses a manifest risk to the respect and protection of the private life and fundamental rights and freedoms of individuals;
- inform data subjects of their rights (right of prior information, right of access, right of rectification, right to object);
- authorise the transfer of personal data outside of Algeria;
- establish cooperation with similar foreign authorities, subject to reciprocity;
- conduct inspections (including on site) of the application of the laws, identify possible violations and inform the Public Prosecutor of possible violations and impose administrative penalties.

Ongoing work by the ANPDP to implement Law 18-07

The ANPDP has undertaken a number of preparatory activities:

- Drafting the forms necessary for the implementation of Law 18-07, in particular forms for the declaration of processing operations, the designation of the data controller, the request for prior authorisation, the request for authorisation to transfer personal data abroad, etc. A priori, these forms will be online as of August 2023.
- Creation of the National Register for the Protection of Personal Data, which will be managed by the ANPDP and will record, in particular, the files for which the public authorities are responsible for processing, the files for which processing is carried out by private individuals, the declarations made to the ANPDP and the authorisations granted by it, etc. Such register will be available online on the official website of the ANPDP from August 2023.
- Launch of a survey of processing operations and identification of data controllers, a registration of processing operations will be conducted by the ANPDP and companies will have to provide the ANPDP with certain information, such as contact details of the data controller, information on sub-contracting, collection mechanisms and data collected, consent, purposes of processing, etc.

In parallel to this work, the ANPDP is finalising the application texts of Law 18-07 and drafting its internal regulations.

During the press conference for the launch of the official website, the President of the ANPDP recommended that the heads of State-owned and private organisations issue instructions to their local and foreign departments "to use the contents of the website in order to comply with the law within the set timeframe".

If you have any questions about this newsletter, please do not hesitate to contact us.

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